

GOVERNMENT OF ANDHRA PRADESH  
**A B S T R A C T**

P.S. – Education (SE) Department – Departmental Proceedings against Sri G.Narayana Swamy, former A.C.G.E. (Retd.), o/o DEO, Nalgonda – Imposition of penalty of 1% cut in pension for one year – Orders – Issued.

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EDUCATION [SE- Vig.I(1) ] DEPARTMENT

**G.O.Rt. No. 503,**

**Dated: 27.08.2009.**

Read the following :

- Ref: 1 From the D.G., ACB., Lr.Rc.No.130/DES/HND/03, dt.21.1.2004.  
2 Proceedings of D.G.E., Hyd., Rc.No.57/A1-1/2003, dt.4.5.2004.  
3 Proceedings of D.G.E., Hyd., Rc.No.57/A1-1/2003, dt.9.10.2004.  
4 Proceedings of D.G.E., Hyd., Rc.No.57/A1-1/2003, dt.10.7.2007.  
5 Inquiry Report of Dr.A.Madhusudhan Reddy, IAS(Retd), Commissioner of Inquiries, dt.29.9.2006.  
6 Govt.Memo.No.4894/Vig.I(1)/2004-16,dt.28.03.2007& dt.29.8.2007.  
7 Proceedings of D.G.E., Hyd., Rc.No.57/A1-1/2003, dt.9.4.2007 & dt.18.9.2007.  
8 From Sri G.Narayana Swamy, Explanations dt.11.5.2007 & 18.10.2007.  
9 Govt.Memo.No.4894/Vig.I(1)/2004-25, dt.29.12.2008.  
10 From Sri G.Narayana Swamy, Explanation dt.31.1.2009.  
11 From the Secretary,APPSC, Lr.No.475/RT-I/3/2009, dt.18.5.2009.

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**ORDER :**

Consequent on surprise check conducted by the ACB on 21.11.2003, Sri G.Narayana Swamy, Asst.Commissioner of Govt.Examinations, o/o D.E.O., Nalgonda, was placed under suspension vide Proc. 2<sup>nd</sup> read above and Articles of charges were framed against him, vide Proc.3<sup>rd</sup> read above for possession of Rs.6550/- and failed to account for the amount satisfactorily during the surprise check and for failure to supervise the work of his staff and failed to control the corruption in his examination section. The matter was referred to Commissioner of Inquiries for conducting inquiry into the charges framed against him, among others, following the due procedure. He was reinstated into service and posted as A.C.G.E., o/o D.E.O., Vizianagaram, vide Proc.4<sup>th</sup> read above. He was permitted to retire from service on 31.5.2008 on attaining the age of superannuation, without prejudice to the disciplinary proceedings pending against him.

**2. Charge against Sri G.Narayana Swamy :**

xxxxxx (1) He was found in possession of Rs.6,550/- and failed to account for the amount satisfactorily; (2) He failed to supervise the work of his staff and failed to control the corruption in his Examination Section xxxxxxxx.

**3.** In the Inquiry Report 5<sup>th</sup> read above, the Commissioner of Inquiries found that the delay in remittance and the unsatisfactory reply given to ACB on the day of surprise check go to indicate that the first part of the charge framed against Sri G.Narayana Swamy,ACGE, is held Proved ; and the second part of the charge against him that he failed to supervise the work of his staff and failed to control the corruption in the examination section is held not proved.

**4.** After examining the inquiry report, it was observed that the second part of the charge equally should have been held proved ; and decided to disagree with the findings of the C.O.I., in this regard; and accordingly a copy of Inquiry Report was communicated to Sri G.Narayana Swamy with some disagreement factors with the findings of C.O.I.

**5.** In his explanation 8<sup>th</sup> read above, Sri G.Narayana Swamy has stated that the amount relates to unspent balance of LPCET and the Inquiry Officer has also accepted the same and the D.E.O. certified the same and stated that the unspent balance amount was not remitted to the Govt. account till date since the amount is seized by the ACB ; the minor thing is only delay in remittance. He has also submitted that regarding 2<sup>nd</sup> part of the charge the Inquiry Officer rightly held that the 2<sup>nd</sup> part of the charge is not proved. He has stated that the reasons for disagreement communicated are on presumption only without any proof or evidence.

6. After examining the matter, it was observed that delay in remittance comes under temporary misappropriation; and therefore a show-cause notice was issued to Sri G.Narayana Swamy, in the Memo. 9<sup>th</sup> read above, as to why the penalty of 5% cut in pension for one year should not be imposed on him.

7. In his explanation 10<sup>th</sup> read above, Sri G.Narayana Swamy has stated that in case only when the government money is found in personal possession out side the office cash chest/almirah and seized and recovered outside office, it comes under misappropriation / temporary misappropriation ; but in his case, the amount in question was seized from his office almirah/cash chest by the ACB during the surprise check and therefore it does not at all comes under temporary misappropriation, etc., and therefore requested to exonerate him from the charges.

8. After careful examination of the matter, it has been observed that the misappropriated amount was not utilised or diverted for any other purpose, and since there is negligence in remittance of money, it has been decided to impose the penalty of 1% cut in pension for one year. Accordingly, the penalty of **“1% cut in pension for one year”** is hereby imposed on the said Sri G.Narayanawamy,ACGE(Retd), under Rule 9 of the A.P.Revised Pension Rules,1980.

9. The Director of Government Examinations, Hyderabad, shall take necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SURESH CHANDA  
SECRETARY TO GOVERNMENT (SE)

To

Sri G.Narayana Swamy, ACGE (Retd.) through D.G.E., Hyd.  
The Director of Government Examinations, Hyderabad.  
Copy to the Director General, Anti Corruption Bureau, Hyderabad.  
Copy to the Secretary, A.P.Public Service Commission, Hyderabad.  
Copy to the Accountant General, A.P.,Hyderabad.  
Copy to the Director of Treasuries & Accounts, Hyderabad.  
Copy to the Secretary to V.C., APVC.  
SF/SCs.

// FORWARDED : BY ORDER //

SECTION OFFICER